

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8966(a)	10:1001.	June 29, 1948, ch. 708,
8966(b)	10:1036.	§§ 201, 301(a), 62 Stat.
8966(c)	[No source].	1084, 1087.
8966(d)	[No source].	

In subsections (a), (b), and (d), the word “maintain” is substituted for the word “establish”, and in subsection (c) the word “maintain” is substituted for the word “established”, since the lists have been established and are published annually.

In subsection (a), the words “Effective upon June 29, 1948” are omitted as executed. 10:1001 (last 12 words of 1st sentence, and last sentence) is omitted as no longer required, since, upon enactment of this title, laws referring to the limited or unlimited retired list will be expressly repealed.

In subsection (b), the word “shall” is substituted for the word “may”, since 10:1036 further requires that such a list be published annually in the Register. The requirement as to publication necessarily implies that the list must be maintained.

Subsection (b)(1) is substituted for the words “all commissioned officers and former commissioned officers * * * or the Air Force of the United States, as the case may be * * * or the Regular Air Force, heretofore or hereafter granted retirement pay under sections 456, 456a, and 1036a of this title, or any law hereafter enacted to provide retirement pay for commissioned officers * * * or the Regular Air Force”.

In subsection (b)(2), the words “who is advanced to a commissioned grade” are substituted for the words “heretofore or hereafter retired under any provision of law who, by reason of service in temporary commissioned grades * * * or the Air Force of the United States, or in any of the respective components thereof, are entitled to be retired with commissioned rank or grade”.

Subsections (c) and (d) are inserted, since sections 8964 and 8965 of this title refer to service on the retired list as a warrant officer or enlisted member.

1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8966(a)	10 App.:1001.	July 24, 1956, ch. 677,
8966(b)	10 App.:1036.	§2(f), (g), 70 Stat. 623.

Editorial Notes

PRIOR PROVISIONS

Prior sections 9346 to 9356 were renumbered sections 9446 to 9456 of this title, respectively.

Another prior section 9356, added Pub. L. 103-337, div. A, title V, §556(c)(1), Oct. 5, 1994, 108 Stat. 2775, related to position of athletic director of Academy and to administration of nonappropriated fund account for athletics program of Academy, prior to repeal by Pub. L. 104-106, div. A, title V, §533(c)(1), Feb. 10, 1996, 110 Stat. 315.

Prior sections 9357 to 9360 were renumbered sections 9457 to 9460 of this title, respectively.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, §923(c)(21)(C)(i), inserted “or the Regular Space Force” after “Regular Air Force”.

Subsec. (b)(1). Pub. L. 116-283, §923(c)(21)(C)(ii), inserted “, or for commissioned officers of the Space Force other than of the Regular Space Force” after “Regular Air Force”.

Subsec. (b)(2). Pub. L. 116-283, §923(c)(21)(C)(iii), inserted “or the Space Force” after “Air Force”.

Subsec. (c). Pub. L. 116-283, §923(c)(21)(C)(iii), inserted “or the Space Force” after “Air Force”.

Subsec. (d). Pub. L. 116-283, §923(c)(21)(C)(i), inserted “or the Regular Space Force” after “Regular Air Force”.

2018—Pub. L. 115-232 renumbered section 8966 of this title as this section.

1987—Subsec. (b)(2). Pub. L. 100-180 struck out “Regular” before “Air Force”.

1958—Pub. L. 85-861 struck out provisions in subsecs. (a) and (b) which required annual publication in official Air Force Register of the retired list.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

CHAPTER 945—COMPUTATION OF RETIRED PAY

Sec. 9361.	Computation of retired pay.
9362.	Recomputation of retired pay to reflect advancement on retired list.

Editorial Notes

PRIOR PROVISIONS

A prior chapter 945, consisting of sections 9711 to 9713, related to disposition of effects of deceased persons, prior to renumbering as chapter 975 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(3)(B)(ii), (e)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 871 of this title as this chapter and items 8991 and 8992 as 9361 and 9362, respectively.

§ 9361. Computation of retired pay

(a) COMPUTATION.—

(1) FORMULA.—The monthly retired pay of a member entitled to such pay under this subtitle is computed by multiplying—

(A) the member’s retired pay base (as computed under section 1406(e) or 1407 of this title), by

(B) the retired pay multiplier prescribed in section 1409 of this title for the number of years credited to the member under section 1405 of this title.

(2) ADDITIONAL 10 PERCENT FOR CERTAIN ENLISTED MEMBERS CREDITED WITH EXTRAORDINARY HEROISM.—If a member who is retired under section 9314 of this title has been credited by the Secretary of the Air Force with extraordinary heroism in the line of duty, the member’s retired pay shall be increased by 10 percent of the amount determined under paragraph (1) (but to not more than 75 percent of the retired pay base upon which the computation of such retired pay is based). The Secretary’s determination as to extraordinary heroism is conclusive for all purposes.

(b) GENERAL RULES.—

(1) USE OF MOST FAVORABLE FORMULA.—If a person would otherwise be entitled to retired pay computed under more than one formula in subsection (a) or the table in section 1401 of this title, he is entitled to be paid under the applicable formula that is most favorable to him.